

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

FILED

JAN 18 2006

CLERK U.S. BANKRUPTCY
COURT ORLANDO, FL

In re:

Case No: 6:04-BK-12265-ABB

ROY C. ESTES, JR.,

Debtor.

CASE CREDIT CORPORATION,
a Delaware corporation,

Adv. Pro. No: 6:05-ap-00088-ABB

Plaintiff,

v.

ROY C. ESTES, JR.,

Defendant.

FINAL JUDGMENT

This adversary proceeding came before the court on the stipulation of the parties for entry of final judgment and their joint motion for entry of this judgment. The court finds that the defendant Roy C. Estes, Jr. owes the plaintiff Case Credit Corporation a debt in the amount of \$3,136,432.40 pursuant to a state court judgment dated October 18, 2004 ("Debt"). The court having considered the stipulation, having reviewed the record herein and being fully advised in the premises, it is hereby ordered, adjudged and decreed as follows:

1. It is finally and conclusively determined that the Debt is excepted from the discharge and is non-dischargeable in this case and in any future bankruptcy proceeding filed by or against the defendant. The plaintiff may proceed with collection of the Debt without being impeded or affected in any way by the discharge.

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2. The defendant can satisfy the Debt by payment of less than the full amount as set forth in this paragraph. The Debt can be satisfied if the defendant pays the plaintiff: (a) \$600,000.00 by the date that is four months after entry of this judgment; (b) \$700,000.00 by the date that is six months after entry of this judgment; (c) \$800,000.00 by the date that is eight months after entry of this judgment; (d) \$900,000.00 by the date that is ten months after entry of this judgment; (e) \$1,000,000.00 by the date that is one year after entry of this judgment; (f) \$1,200,000.00 by the date that is fourteen months after entry of this judgment; (g) \$1,400,000.00 by the date that is sixteen months after entry of this judgment; or (h) \$1,600,000.00 by the date that is eighteen months after entry of this judgment. Time is of the essence with respect to these payment deadlines. Unless the defendant strictly complies with one of these payment deadlines, the Debt cannot be satisfied other than by payment in full.

3. The defendant shall, within ten days after the rendition of this order file an affidavit attesting to the truth and accuracy of his schedules filed herein noting any manner in which the defendant's present financial condition has changed since the filing of his schedules and any amendments thereto. The discount provision set forth in paragraph 2 hereof is expressly conditioned on the correctness of the representations in the defendant's schedules, as modified by any amendments and the defendant's affidavit filed pursuant to this order. If the defendant's financial disclosures show at any time hereafter to have been inaccurate in any manner at the time of the filing of the defendant's affidavit, the discount provision shall be null and void.

4. The plaintiff shall serve notice on all creditors and parties in interest that a stipulated judgment has been entered resolving this adversary proceeding and such creditors and parties in interest shall have 20 days from the date of service of the notice to object to the judgment ("Negative Notice Period"). This judgment shall become effective upon expiration of

the Negative Notice Period if no objection is timely filed. If an objection is timely filed, this judgment shall become effective immediately upon (a) a withdrawal of the objection or (b) if the objection is not withdrawn, in accordance with the order resolving the objection.

Done and Ordered on January 18, 2006.



Arthur B. Briskman
United States Bankruptcy Judge

copies to:

Attorney for Debtor: Neil J. Buchalter, Esquire, P O Box 5087, Titusville, FL 32783

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